

PATENT

**Attorney Docket No.: MP0423
(13298/17)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/797,254 Confirmation No. 5372
Applicant : Mats OBERG et al.
Filed : March 10, 2004
Title : METHOD AND SYSTEM TO IMPROVE DECISION-DRIVEN
CONTROL LOOPS
TC/A.U. : 2611
Examiner : Juan A. TORRES

COMMENT ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Reasons for allowance are only warranted in instances in which "the record of the prosecution as a whole does not make clear the Examiner's reasons for allowing a claim or claims." 37 C.F.R. 1.104(e). In the present case, Applicant believes the record as a whole makes clear the reasons for allowance and therefore no statement by the Examiner is necessary or warranted.

Moreover, the Statement of Reasons for Allowance is not accurate. For example, the Examiner has quoted language from allowed claim 7, which is an apparatus claim reciting a decision-driven control loop. However, there are other claims, for example, method claim 99 and its dependencies. Applicants do not concede that that claimed method can be performed using only the claimed apparatus, or that the claimed apparatus can only perform the claimed method. Applicants maintain that each claim's patentability stands separately.

PATENT APPLICATION

Application No. 10/797,254
Comment on Statement of Reasons for Allowance
Notice of Allowance Mail Date January 4, 2008

Applicant submits these Comments in an effort to ensure that the claims are properly construed based only upon limitations that are actually present therein and/or to ensure that the claims are not interpreted so as to include any additional claim limitations that are not found in the respective claims.

Respectfully submitted,
KENYON & KENYON LLP

Dated: April 2, 2008

By: /Frank L. Bernstein/
Frank L. Bernstein
Reg. No. 31,484

Customer No. **44990**

KENYON & KENYON LLP
333 West San Carlos St., Suite 600
San Jose, CA 95110
Telephone: (408) 975-7500
Facsimile: (408) 975-7501